

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL DOCKET NO.: 1:08CR12-V**

UNITED STATES OF AMERICA)
)
)
vs.) O R D E R
)
)
JOSEPH ROBERT LAIRD, and)
ROSE MARIE SCHILLING,)
Defendants.)
)

THIS MATTER is before the Court *sua sponte* in response to Defendants' Motions to Withdraw Guilty Plea, filed individually on August 10, 2010. (Documents #66, #67)

Defendant Laird, through counsel, now asserts that he was under duress at the time he tendered his guilty plea and that to allow his guilty plea to go forward would constitute "a gross miscarriage of justice" and be "contrary to any assertion of credible legal innocence." (Laird Mot., ¶¶8,9) Defendant Schilling asserts that her guilty plea was involuntary. (Schilling Mot., ¶1) These motions are scheduled for hearing on Monday, August 23, 2010.¹ Accordingly, the Court hereby requests and authorizes preparation of the Plea and Rule 11 Hearing transcripts for the above-captioned Defendants.²

SO ORDERED.

Signed: August 17, 2010



Richard L. Voorhees
United States District Judge



¹ In the event Defendants are unsuccessful on their respective motions to withdraw guilty plea, the Court will proceed immediately to sentencing.

² Joseph Robert Laird appeared before Magistrate Judge Horn on 2/19/09 and Rose Marie Schilling appeared before Magistrate Judge Keesler on 12/19/08.

Joseph Robert Laird (appeared before J. Horn on 2/19/09) and Rose Marie Schilling (appeared before J. Keesler on 12/19/08)